

## NINETEENTH DAY.

Hall of the House of Representatives,  
Austin, Texas,

Wednesday, August 17, 1910.

The House met at 9 o'clock a. m.,  
pursuant to adjournment.

Speaker Marshall in the chair.

The roll was called, and the following  
members were present:

Adams.	Kennedy.
Anderson.	Lawson.
Aston.	Leach.
Baker of Hood.	Lee.
Baker of Panola.	Looney.
Ballengee.	Luce.
Barrett.	Maddox.
Bartlett.	Mason.
Bell.	Maxwell.
Bierschwale.	McCallum.
Bogard.	McDonald.
Bostic.	McKinney.
Boswell.	Minton.
Bowles.	Moller.
Briscoe.	Morris.
Brooks.	Munson.
Brookshire.	Nelson of Hopkins.
Brownlee.	Nelson of
Buchanan.	Kaufman.
Byrne.	Nickels.
Cable.	O'Bryan.
Canales.	O'Bryant.
Cathey.	Odom.
Caves.	Penn.
Cox.	Perkins.
Craven.	Pharr.
Crawford.	Porter.
Crisp.	Rabb.
Crockett of	Ralston.
Mitchell.	Ray.
Cureton.	Rayburn.
Currey.	Reedy.
Dalby.	Roach.
Davis.	Roberson of Erath.
Dotson.	Roberson of Bell.
Driggers.	Roberson of
Elliott.	Travis.
Fant.	Ross.
Fitzhugh.	Schluter.
Flournoy.	Schofield.
Fuller.	Self.
German.	Smith.
Gilmore.	Spradley.
Goodman.	Stamps.
Hamilton of	Standifer.
McCulloch.	Stead.
Harman.	Stephenson.
Haxthausen.	Stepter.
Highsmith.	Stratton.
Humphrey.	Tarver.
Hunt.	Terrell of Bexar.
Jackson.	Terrell of
Jennings.	Cherokee.
Johnson.	Tillotson.
Johnston.	Turner.

Vaughan.  
Von Rosenberg.  
Wahrmund.  
Walter.  
Watson.

Werner.  
Wilburn.  
Wilson.  
Wortham.

Absent.

Branch.  
Chaney.  
Keeble.  
Matthews.  
McDaniel.

McGown.  
Pearson.  
Reid.  
Strickland.

Absent—Excused.

Brown.  
Crockett of  
Washington.  
Graham.  
Hamilton of  
Childress.

Hill.  
Lively.  
McLain.  
Turney.  
Yantis.

A quorum was announced present.

Prayer by Rev. W. J. Joyce, Chaplain.

## LEAVE OF ABSENCE GRANTED.

On account of important business:

Mr. Hamilton of Childress for today,  
on motion of Mr. German.

Mr. Graham for today, on motion of  
Mr. Wilburn.

On account of sickness:

Mr. Hill for today, on motion of Mr.  
Craven.

Mr. Yantis for today, on motion of  
Mr. Stepter.

Mr. McLain for today, on motion of  
Mr. O'Bryan.

Mr. Lively for today, on motion of  
Mr. McCallum.

On account of committee work:

The Free Conference Committee on  
House bill No. 7—Messrs. Baker of  
Hood, Terrell of Bexar, Caves, Gilmore  
and Crawford, on motion of Mr. Cure-  
ton.

## RELATING TO PLATFORM OF DEMOCRATIC CONVENTION.

The Speaker laid before the House the  
following resolution, which was called up  
for consideration yesterday and was left  
undisposed of, the time for consideration  
of resolutions having expired:

Whereas, Under a representative form  
of government and according to the poli-  
cies and customs heretofore followed  
and adhered to by the Democratic party  
in the State of Texas, the function of a  
State Democratic Convention is to de-  
clare the result of a primary election or  
of precinct and county conventions, and  
to announce the principles upon which

said party stands, without referring to the duty of any Legislature at that time in session; and

Whereas, It is the duty of the State Legislature to discharge the law-making functions of the State government; and

Whereas, The recent State Democratic Convention at Galveston, in its platform under the last clause of Section 9, uses the following language, to-wit: "And we recommend that the Thirty-first Legislature, now in Special Session, dispose of the Fire Rating Board law, adjourn, and go home;" now, therefore, be it

Resolved, That said clause of said section of said platform is in bad taste, uncalled for, not responsive to any demands made by a majority of the people, and that said State Convention, in adopting said resolution, attempted to invade the province of the Third Called Session of the Thirty-first Legislature, and be it further

Resolved, That in the future State Democratic Conventions will do well to attend to their own business of discharging the functions which they were created to discharge without attempting to dictate to any Legislature at that time in session what line of conduct said Legislature shall pursue.

HAMILTON of McCulloch,  
WILBURN,  
HAMILTON of Childress,  
FULLER,  
HUMPHREY,  
ANDERSON,  
BRANCH,  
BARRETT,  
BALLENBEE,  
PORTER,  
FANT,  
CATHEY,

With the following substitute by Mr. Looney, pending:

Resolved, That the members of this House continue to do their constitutional duty to pass upon such matters as may be submitted to them, leaving to each member the personal right of giving to all petitions, convention resolutions and platforms such interpretation and consider them as may be satisfactory to him.

Question—Shall the substitute be adopted?

Mr. Fuller moved the previous question on the substitute and the resolution, and the main question was ordered.

Question—Shall the substitute be adopted?

Yeas and nays were demanded, and the substitute was lost by the following vote:

Yeas—34.

Aston.	Minton.
Bell.	Munson.
Boswell.	Nelson of Hopkins.
Cathey.	Nickels.
Craven.	Odom.
Crockett of Mitchell.	Pearson.
Cureton.	Perkins.
Davis.	Pharr.
Driggers.	Ray.
Elliott.	Rayburn.
Flournoy.	Roberson of Erath.
Hunt.	Self.
Johnson.	Spradley.
Kennedy.	Stepter.
Leach.	Turner.
Looney.	Vaughan.
McDonald.	Werner.

Nays—72.

Adams.	Maddox.
Anderson.	Mason.
Baker of Panola.	Maxwell.
Barrett.	McCallum.
Bartlett.	McKinney.
Bogard.	Nelson of Kaufman.
Bostic.	O'Bryan.
Bowles.	Penn.
Branch.	Porter.
Briscoe.	Rabb.
Brooks.	Ralston.
Brookshire.	Reedy.
Brownlee.	Roach.
Buchanan.	Robertson of Bell.
Byrne.	Robertson of Travis.
Cable.	Ross.
Cox.	Schluter.
Crisp.	Schofield.
Currey.	Smith.
Dalby.	Stamps.
Dotson.	Standifer.
Fant.	Stead.
Fitzhugh.	Stephenson.
Fuller.	Stratton.
German.	Strickland.
Goodman.	Tarver.
Hamilton of McCulloch.	Terrell of Cherokee.
Harman.	Tillotson.
Haxthausen.	Wahrmond.
Highsmith.	Walter.
Humphrey.	Watson.
Jackson.	Wilburn.
Jennings.	Wilson.
Johnston.	Wortham.
Lawson.	
Lee.	
Luce.	

Present—Not Voting.

Bierschwale.	Morris.
Canales.	

## Absent.

Ballengee.	Moller.
Chaney.	O'Bryant.
Matthews.	Reid.
McDaniel.	Von Rosenberg.
McGown.	

## Absent—Excused.

Baker of Hood.	Hill.
Brown.	Keeble.
Caves.	Lively.
Crawford.	McLain.
Crockett of	Terrell of Bexar.
Washington.	Turney.
Gilmore.	Yantis.
Graham.	
Hamilton of	
Childress.	

Question then recurred—Shall the original resolution be adopted?

Yeas and nays were demanded, and the resolution was adopted by the following vote:

## Yeas—61.

Adams.	Johnston.
Anderson.	Lawson.
Aston.	Lee.
Baker of Panola.	Luce.
Ballengee.	Maddox.
Barrett.	Mason.
Bartlett.	Maxwell.
Bell.	McCallum.
Bogard.	McDaniel.
Bostic.	McKinney.
Boswell.	Minton.
Bowles.	Morris.
Branch.	Nelson of
Brookshire.	Kaufman.
Brownlee.	O'Bryant.
Cathey.	Odom.
Craven.	Porter.
Crockett of	Reedy.
Mitchell.	Roach.
Currey.	Roberson of Erath.
Dalby.	Robertson of Bell.
Dotson.	Ross.
Driggers.	Self.
Fant.	Stamps.
Fuller.	Stephenson.
German.	Stratton.
Goodman.	Strickland.
Hamilton of	Tarver.
McCulloch.	Terrell of
Harman.	Cherokee.
Humphrey.	Wilburn.
Jackson.	Wilson.
Jennings.	

## Nays—43.

Brooks.	Cox.
Buchanan.	Davis.
Byrne.	Elliott.
Cable.	Fitzhugh.
Canales.	Flournoy.

Haxthausen.	Ralston.
Highsmith.	Ray.
Hunt.	Robertson of
Johnson.	Travis.
Kennedy.	Schluter.
Leach.	Schofield.
Looney.	Smith.
McDonald.	Spradley.
Munson.	Standifer.
Nelson of Hopkins.	Stead.
Nickels.	Tillotson.
O'Bryan.	Turner.
Pearson.	Vaughan.
Penn.	Wahrmund.
Perkins.	Watson.
Pharr.	Werner.
Rabb.	Wortham.

## Present—Not Voting.

Bierschwale.	Walter.
Stepter.	

## Absent.

Briscoe.	Moller.
Chaney.	Rayburn.
Cureton.	Reid.
Matthews.	Von Rosenberg.
McGown.	

## Absent—Excused.

Baker of Hood.	Hill.
Brown.	Keeble.
Caves.	Lively.
Crawford.	McLain.
Crockett of	Terrell of Bexar.
Washington.	Turney.
Gilmore.	Yantis.
Graham.	

## PAIRED.

Mr. Crisp (present), who would vote "nay," with Mr. Hamilton of Childress (absent), who would vote "yea."

Mr. Fuller moved to reconsider the vote by which the resolution was adopted and to table the motion to reconsider.

The motion to table prevailed.

## HOUSE RULE SUSPENDED.

Mr. Ray moved that the clause of House Rule 18, providing that "No vote shall be taken within twenty-four hours next preceding final adjournment of the Legislature upon the passage of any bill, except it be to correct an error therein," be suspended for today.

Question—Shall the rule be suspended?

The Clerk was directed to call the roll, and the motion to suspend the rule prevailed by the following vote:

## Yeas 96.

Adams.	Maddox.
Anderson.	Mason.
Aston.	Maxwell.
Baker of Panola.	McCallum.
Ballengee.	McDaniel.
Barrett.	McDonald.
Bartlett.	McGown.
Bell.	McKinney.
Bogard.	Minton.
Bostic.	Morris.
Boswell.	Munson.
Bowles.	Nelson of Hopkins.
Branch.	Nelson of
Briscoe.	Kaufman.
Brooks.	Nickels.
Brookshire.	O'Bryan.
Buchanan.	O'Bryant.
Cable.	Odom.
Cathey.	Pearson.
Cox.	Penn.
Craven.	Perkins.
Crawford.	Pharr.
Crisp.	Porter.
Crockett of	Rabb.
Mitchell.	Ralston.
Currey.	Ray.
Dalby.	Rayburn.
Davis.	Reedy.
Dotson.	Reid.
Driggers.	Roach.
Elliott.	Roberson of Erath.
Fant.	Robertson of Bell.
Flournoy.	Robertson of
Fuller.	Travis.
German.	Ross.
Goodman.	Schluter.
Hamilton of	Self.
McCulloch.	Spradley.
Harman.	Stamps.
Highsmith.	Stead.
Humphrey.	Stephenson.
Hunt.	Stepter.
Jackson.	Strickland.
Jennings.	Terrell of
Johnston.	Cherokee.
Kennedy.	Turner.
Lawson.	Vaughan.
Leach.	Watson.
Lee.	Wilburn.
Looney.	Wilson.
Luce.	

## Nays—11.

Bierschwale.	Stratton.
Byrne.	Tillotson.
Fitzhugh.	Wahrmund.
Haxthausen.	Walter.
Schofield.	Werner.
Standifer.	

## Present—Not Voting.

Smith.

## Absent.

Brownlee. } Canales.

Chaney.	Moller.
Cureton.	Tarver.
Johnson.	Von Rosenberg.
Keeble.	Wortham.
Matthews.	

## Absent—Excused.

Baker of Hood.	Hamilton of
Brown.	Childress.
Caves.	Hill.
Crockett of	Lively.
Washington.	McLain.
Gilmore.	Terrell of Bexar.
Graham.	Turney.
	Yantis.

## HOUSE BILL NO. 32 ON THIRD READING.

The Speaker laid before the House, on third reading and final passage,

House bill No. 32, A bill to be entitled "An Act to authorize the Secretary of State in his discretion to require an affidavit of incorporators before filing charter, and declaring an emergency."

The bill was read third time.

Question—Shall the bill be passed?

The Clerk was directed to call the roll and the bill was passed by the following vote:

## Yeas—93.

Adams.	German.
Anderson.	Goodman.
Aston.	Hamilton of
Baker of Panola.	McCulloch.
Ballengee.	Harman.
Barrett.	Humphrey.
Bartlett.	Hunt.
Bell.	Jackson.
Bogard.	Jennings.
Bostic.	Johnson.
Boswell.	Johnston.
Bowles.	Kennedy.
Branch.	Lawson.
Briscoe.	Leach.
Brooks.	Lee.
Brookshire.	Luce.
Cable.	Maddox.
Canales.	Mason.
Cathey.	Maxwell.
Craven.	McCallum.
Crisp.	McDaniel.
Crockett of	McDonald.
Mitchell.	McKinney.
Cureton.	Minton.
Currey.	Morris.
Dalby.	Munson.
Davis.	Nelson of Hopkins.
Dotson.	Nelson of
Driggers.	Kaufman.
Elliott.	Nickels.
Fant.	O'Bryant.
Fuller.	Odom.

Penn.	Smith.
Perkins.	Spradley.
Pharr.	Stamps.
Porter.	Stead.
Rabb.	Stephenson.
Ralston.	Stepter.
Ray.	Stratton.
Rayburn.	Strickland.
Reedy.	Terrell of
Reid.	Cherokee.
Roach.	Turner.
Roberson of Erath.	Vaughan.
Robertson of Bell.	Wahrmund.
Ross.	Walter.
Schluter.	Wilburn.
Schofield.	Wortham.
Self.	

## Nays—14.

Bierschwale.	Pearson.
Buchanan.	Robertson of
Byrne.	Travis.
Fitzhugh.	Standifer.
Flournoy.	Tillotson.
Haxthausen.	Watson.
Highsmith.	Werner.
O'Bryan.	

## Absent.

Brownlee.	McGown.
Chaney.	Moller.
Cox.	Tarver.
Looney.	Von Rosenberg.
Matthews.	Wilson.

## Absent—Excused.

Baker of Hood.	Hill.
Brown.	Keeble.
Caves.	Lively.
Crawford.	McLain.
Crockett of	Terrell of Bexar.
Washington.	Turney.
Gilmore.	Yantis.
Graham.	
Hamilton of	
Childress.	

## HOUSE BILL NO. 36 ON THIRD READING.

The Speaker laid before the House, on third reading and final passage, House bill No. 36, A bill to be entitled "An Act to prevent the gift of intoxicating liquor in saloons, club rooms, restaurants, hotels, dining rooms or other places commonly resorted to for the purpose of drinking; also to prevent the drinking of intoxicating liquor by any person in such places when such liquor has been purchased or paid for by any other person; also to prevent any person purchasing or paying for intoxicating liquor for another, knowing the same will be drunk upon the premises where sold; providing a penalty for

violation thereof, and declaring an emergency."

The bill was read third time.

Question—Shall the bill be passed?

(Mr. Odom in the chair.)

On motion of Mr. Briscoe, further consideration of the bill was postponed indefinitely.

## HOUSE BILL NO. 43 ON THIRD READING.

The Speaker laid before the House, on third reading and final passage,

House bill No. 43, A bill to be entitled "An Act making it a misdemeanor to sell, give away or drink or permit to be sold, given away or drunk, spirituous, vinous or malt liquors, whether capable of producing intoxication or not, in any bawdy house, disorderly house or assignation house; defining a bawdy house, a disorderly house, assignation house; providing a penalty for the violation of this act, and declaring an emergency."

The bill was read third time.

Question—Shall the bill be passed?

Mr. Kennedy offered the following amendment to the bill:

Amend caption by inserting between the words "whether" and "producing" the word "capable."

The amendment was adopted.

Question—Shall the bill be passed?

The Clerk was directed to call the roll and the bill was passed by the following vote:

## Yeas—99.

Adams.	Dalby.
Anderson.	Davis.
Aston.	Dotson.
Baker of Panola.	Driggers.
Ballengee.	Elliott.
Barrett.	Fant.
Bartlett.	Flournoy.
Bell.	Fuller.
Bogard.	German.
Bostic.	Goodman.
Boswell.	Hamilton of
Bowles.	McCulloch.
Branch.	Harman.
Briscoe.	Humphrey.
Brookshire.	Hunt.
Brownlee.	Jackson.
Buchanan.	Jennings.
Cable.	Johnson.
Cathey.	Johnston.
Cox.	Kennedy.
Craven.	Lawson.
Crisp.	Leach.
Crockett of	Looney.
Mitchell.	Luce.
Currey.	Maddox.

Mason.	Roberson of Erath.
Maxwell.	Robertson of Bell.
McCallum.	Robertson of
McDaniel.	Travis.
McDonald.	Ross.
McKinney.	Schofield.
Minton.	Self.
Morris.	Smith.
Munson.	Spradley.
Nelson of Hopkins.	Stamps.
Nelson of	Standifer.
Kaufman.	Stephenson.
Nickels.	Stepter.
O'Bryan.	Stratton.
O'Bryant.	Strickland.
Odom.	Tarver.
Pearson.	Terrell of
Perkins.	Cherokee.
Pharr.	Tillotson.
Porter.	Vaughan.
Rabb.	Von Rosenberg.
Ralston.	Walter.
Ray.	Watson.
Rayburn.	Werner.
Reedy.	Wilburn.
Reid.	Wilson.
Roach.	Wortham.

Nays—5.

Haxthausen.	Schluter.
Highsmith.	Wahrmund.
Penn.	

Present—Not Voting.

Byrne.

Absent.

Bierschwale.	Lee.
Brooks.	Matthews.
Canales.	McGown.
Chaney.	Moller.
Cureton.	Stead.
Fitzhugh.	Turner

Absent—Excused.

Baker of Hood.	Hamilton of
Brown.	Childress.
Caves.	Hill.
Crawford.	Keeble.
Crockett of	Lively.
Washington.	McLain.
Gilmore.	Terrell of Bexar.
Graham.	Turney.
	Yantis.

GRANTING HALL TO 'M. W. A. AND  
W. O. W.

Mr. Robertson of Travis, by unanimous consent, offered the following resolution:

Resolved, That the Modern Woodmen of America and Woodmen of the World be granted permission to hold their meeting for the initiation of members

in this Hall, to be held about September 27, next, or at such time as they may desire, respectively, and the Superintendent of Public Buildings and Grounds be and he is directed to permit them so to do, the Hall to be placed in order before and at the conclusion of the meeting at the expense of the Order of Modern Woodmen.

The resolution was read second time, and was adopted.

INVITING HON. Z. BROUGHTON TO ADDRESS HOUSE.

Mr. Luce, by unanimous consent, offered the following resolution:

Whereas, The Hon. Z. Broughton, Democratic nominee for the Thirty-second Legislature from Anderson county, is now in the building; therefore be it

Resolved, That he be invited to address the House at this time.

TERRELL of Cherokee,  
LUCE,  
STRICKLAND.

The resolution was read second time, and was adopted.

The Chair appointed Messrs. Luce, Baker of Panola and Strickland to escort Mr. Broughton to the Speaker's stand.

The committee escorted Hon. Z. Broughton to the Speaker's stand, where, after being presented by the Chair (Mr. Odom), he addressed the House.

(Speaker in the chair.)

MESSAGE FROM THE SENATE.

Senate Chamber,

Austin, Texas, August 16, 1910.

Hon. John Marshall, Speaker of the House of Representatives.

Sir: I am directed by the Senate to inform the House that the Senate has passed the following bill:

House bill No. 42, A bill to be entitled "An Act to further regulate the sale and disposition of spirituous, vinous and malt liquors and medicated bitters, capable of producing intoxication, in all territory where the sale of such liquors has been provided, except for sacramental and medical purposes, by a majority vote of the people, and further regulating the terms and conditions on which licenses may issue to sell such liquors in such territory, and requiring petition signed by a majority of the qualified voters of the justice precinct where business is to be conducted be-

fore license shall issue, providing that no license for a longer or shorter period than one year, canceling all such licenses now in force and providing for refund of unearned portions of all canceled licenses, and declaring an emergency."

The Senate concurs in House amendments to Senate bill No. 20 by two-thirds vote: Yeas, 25; nays, 0.

Respectfully,

CLYDE D. SMITH,  
Secretary of the Senate.

RECESS.

On motion of Mr. Ray, the House, at 11 o'clock a. m., took a recess until 2 o'clock p. m. today.

#### AFTERNOON SESSION.

The House met at 2 o'clock p. m. and was called to order by the Speaker.

INVITING HON. S. M. MEEKS TO ADDRESS HOUSE.

Mr. Kennedy offered the following resolution:

Whereas, The Hon. S. M. Meeks, a member of the Regular Session of the Thirty-first Legislature, is in the city; therefore, be it

Resolved, That he be invited to address the House.

The resolution was read second time, and was adopted.

In accordance with the above resolution, the Speaker appointed Messrs. Kennedy and Buchanan as a committee to escort Mr. Meeks to the Speaker's stand.

The committee escorted Hon. S. M. Meeks to the Speaker's stand, where, after being presented by Speaker Marshall, he addressed the House.

#### REPORT OF FREE CONFERENCE COMMITTEE ON HOUSE BILL NO. 7.

Mr. Baker of Hood, chairman, submitted the following report, which was read to the House:

Austin, Texas, August 17, 1910.

Hon. A. B. Davidson, President of the Senate, and Hon. John Marshall, Speaker of the House of Representatives.

Sirs: Your Free Conference Committee to consider House bill No. 7, same being a bill to be entitled "An Act providing conditions upon which insurance companies writing contracts or poli-

cies of insurance against the hazard of fire may transact business in the State of Texas, and providing for the making, promulgation, regulation and control of schedules, rates and premiums, and forms of policies; and to prevent discrimination therein, and create a State Insurance Board, prescribing the duties and authority of said board, and each member thereof; to appropriate money therefor, and to provide penalties for violations of this act, and repealing Chapter 18 of the General Laws of the State of Texas, passed by the First Called Session of the Thirty-first Legislature, and all other laws and parts of laws in conflict therewith, and declaring an emergency," have had same under consideration, and recommend back to the House and Senate, as follows:

First. That the Senate recede from its amendments and that House bill No. 7 be amended as follows:

Amend Section 2 by striking out the word "August" wherever it occurs and insert in lieu thereof the word "February."

Amend Section 4, line 5, by inserting after the word "determining" and before the word "specific" the word "maximum."

Amend Section 11, line 15, by inserting after the word "proper" and before the word "specific" the word "maximum."

Amend Section 13, line 17, after the word "rates" and before the word "provided" by inserting the following: "which rate shall be the maximum insurance rates that may be charged for insurance in this State. Provided, further, that any company may write insurance at a lower rate than the maximum on any or all classes of risks in any particular locality but shall file a statement of such reduced rate or rates with the board, but the board shall not take into consideration such reduction in any rate in determining any future maximum rates. Any company making any reduction shall file a statement of such reduction with the board."

Amend Section 13, paragraph 2, line 1, by inserting after the word "the" and before the word "specific" the word "maximum," and in line 4 of the same paragraph, after the word "such" and before the word "specific" insert the word "maximum," and in line 7, after the word "such" and before the word "specific" insert the word "maximum," and in line 13, after the word "the" and before the word "specific" insert the

word "maximum," and in line 14, after the word "such" and before the word "rates" insert the word "maximum," and in line 18, after the word "the" and before the word "specific" insert the word "maximum," and in line 26, after the word "the" and before the word "specific" insert the word "maximum," and in lines 30 and 31, after the word "the" and before the word "specific" insert the word "maximum," and after the word "risks" in the last line of the same paragraph add the following: "except as provided in this section."

Add Section 13a: "No provision in any policy of insurance issued by any company subject to the provisions of this act, that if said property is encumbered by a lien of any character, or shall thereafter be encumbered by a lien of any character, shall render such policy void, shall be of any force and effect."

Amend Section 14, line 2, after the word "the" and before the word "specific" by inserting the word "maximum," and in line 8, after the word "all" and before the word "specific" insert the word "maximum," and in line 5, after the word "his" and before the word "specific" insert the word "maximum."

Amend Section 15 by striking out said section and insert in lieu thereof the following: "It is further provided that until the general basis schedules herein provided for shall have been promulgated by the board and the maximum specific rates thereunder made by the companies and approved by the board that all companies subject to the provisions of this act shall write all policies under the rates as now in force in this State in such localities where the companies have applied the specific rates and have filed said rates with the said Fire Rating Board, but wherever such specific rates have not been filed, then the board shall designate at what rate the companies shall write insurance; provided, however, that all rates under this section shall be maximum rates and nothing shall prevent the companies in any locality from writing below the maximum rates."

Amend Section 16, line 4, by inserting after the word "the" and before the word "specific" the word "maximum," and in line 7, by inserting after the word "or" and before the word "rates" the word "maximum."

Amend Section 20, line 6, by striking out the word "different" and inserting the word "higher."

Amend Section 20, line 12, by insert-

ing after the word "board" the following: "or authorized by this act."

Amend Section 20, line 20, by striking out all provisions of said section beginning with line 20, the first word of line 20 being the word "it," including the balance of paragraphs 1 and 2, the last word in paragraph 2 being the word "discrimination."

Add Section 25a: "All policies heretofore issued or which shall hereafter be issued by any insurance company under this act or any other act which provided that said policies shall be void for non-payment of premiums at a certain specified time, shall be and are in full force and effect, provided that the company or any of its agents has accepted the premium on said policy after the expiration of the dates named in said provision fixing the date of payment."

Insert Section 27a: "If any part of this act be for any reason held unconstitutional, it shall not affect any other portion or part of this act."

HUDSPETH,  
ALEXANDER,  
TERRELL of Bowie,  
BRACHFIELD,  
WEINERT,

On the Part of the Senate.

BAKER of Hood,  
TERRELL of Bexar,  
GILMORE,

On the Part of the House.

Austin, Texas, August 17, 1910.

Hon. John Marshall, Speaker of the House of Representatives.

Sir: We, the undersigned members of the Free Conference Committee, on the part of the House, after having under consideration House bill No. 7, beg leave to report back to the House that we can not concur in the amendments recommended by said Free Conference Committee on said House bill No. 7, for the reason that in our opinion if said bill is enacted into law with said amendments that same will permit unrestrained discrimination in the making of rates by the insurance companies in favor of the large insurers and against the small insurer.

For the reasons above set out we respectfully submit this, a minority report of the members of the Free Conference Committee on the part of the House, with the recommendation that the House adhere to House bill No. 7 as originally passed by the House, and with the further recommendation that the



amendments recommended by the Free Conference Committee be not adopted.

Respectfully submitted,  
CRAWFORD,  
CAVES.

Austin, Texas, August 17, 1910.

Hon. John Marshall, Speaker of the House of Representatives.

Sir: We, your Free Conference Committee, on the part of the House, beg leave to report House bill No. 7 back to the House, with the recommendation that the House adhere to the bill as originally passed, and that the Senate recede from its amendments.

In free conference committee assembled, the following amendments were suggested on the part of the Senate conferees:

Amend Section 13 as shown on Senate Journal, page 136, after the word "rate," in line 12, second column, by inserting the following: "which rate shall be the maximum insurance rates that may be charged for insurance in this State. Provided, further, that any company may write insurance at a lower rate than the maximum on any or all classes of risks in any particular locality, but shall file a statement of such reduced rate or rates with the board, but the board shall not take into consideration such reduction in any rate in determining any future maximum rates, but such reduction shall not affect other companies unless such other companies choose to accept such reduced rate and adopt the same as their rate of insurance, and any company making any reduction shall file a statement of such reduction with the board."

We report the bill back to the House, together with the suggested amendments for its consideration.

It was also suggested in committee assembled that the bill throughout its various provisions be made to conform with the amendments above set out.

Respectfully submitted,  
BAKER of Hood,  
CRAWFORD,  
CAVES,  
GILMORE,  
TERRELL of Bexar.

Austin, Texas, August 17, 1910.

Hon. John Marshall, Speaker of the House of Representatives.

Sir: We, the undersigned members of the Free Conference Committee, on the part of the House, appointed with reference to House bill No. 7, beg leave

to report that during our deliberations with the Senate conferees that we found that one of the objections of the Senate conferees was that they contended that House bill No. 7 did not permit competition.

While we are of the opinion that the House bill, as drawn, did permit competition, by reason of this objection to the bill, we submitted the following as a substitute for Section 13 of the House bill:

"Sec. 13. It is further provided that after the adoption and promulgation of the general basis schedules and the rules and regulations for applying the same as herein provided for by the board, every insurance company writing fire insurance policies within this State shall, within a reasonable time, file with the State Insurance Board its application of said general basis schedules to the specific risks of the State, and the specific rates obtained thereby, in accordance with the several provisions of this act, which said specific rates shall be the maximum rates charged for insurance on property within this State and affected by this act; and provided further that any one or more insurance companies may employ, for the application of such general basis schedules and the making of such specific rates the service of such experts as they may deem advisable for such purpose, but the contract or contracts of employment of such experts shall first be submitted to the State Insurance Board for its approval; provided, further, that the State Insurance Board shall have authority, and it shall be the duty of said board, personally, or by its agents, to inspect and supervise the work of said experts in the application of said general basis schedules in the determination of specific rates, which rates shall be the maximum insurance rates that may be charged for insurance in this State. Provided, that any insurance company may write any risk at a lower rate than the maximum specific rates promulgated by said board for such risks under the provisions of this act. Provided, further, that said company or companies shall file with the board copies of all maps and copies of the analysis of all applications of said general basis schedules to the specific risks of this State, if required to do so by the board. And it shall be the duty of the expert or experts representing the insurance companies or any insurance company in this State to furnish, at the date of the inspection, to the owners of

all risks inspected for the purpose of applying the general basis schedules provided for in this act, a copy of such inspection report, showing all defects that operate as charges to increase the insurance rate.

"It is further provided that the specific rates so made by a company or companies for any city, town, village or locality shall not take effect and such company or companies shall not write insurance thereunder until such specific rates shall have been approved by the board; the board shall have authority to reject said specific rates so made or any part thereof, or to alter, amend, modify or change the same, or to permit such specific rates to become effective for a limited time, or any modification or change thereof for a limited time, in its discretion; provided, however, that the said board shall have authority in its discretion to permit the said company or companies to apply the said schedules of basis rates to risks other than mercantile and special hazards without having first submitted the specific rates so made to said board for approval. But such rates that the board may permit any company or companies to apply without the board's approval shall always be subject to review by the board and by the proper showing of any policy holder or holders, may be reduced. It is further provided that all changes made by any company in the specific rates made by it in applying the general basis schedules shall be subject to the review of the board for its approval or disapproval, and shall be reported to the board in such manner and form as may be prescribed by the board. Provided, further, that any insurance company or companies affected by this act shall have the right, at any time, to petition the board for an order changing or modifying the general basis schedules or the application of the general basis schedules to the specific risks, and the board shall consider such petition as provided in this act and enter such order as the board may deem just and equitable to such company or companies, to competing companies, and to the public. Provided, further, also that any insurance company authorized to transact business in accordance with this act shall have the right to reduce the maximum rate of insurance to be charged by it by filing with the board for its approval a schedule of its reduction or elimination of the items of which the deficiency charges or its increase in the number of items of credit or in the amount of any or

all of said items of credit, amending the general basis schedules; after the filing of said schedule of amendments to the general basis schedules, such amended general basis schedules shall be the general basis schedules as to such company, but not as to any other company unless the same shall be adopted by such other company; such amended general basis schedules shall be applied to the specific risks of the State to be affected thereby for the purpose of determining the maximum rate of insurance to be charged thereunder in the same manner as the original general basis schedules promulgated by the board shall be applied. But in no event shall such a reduction be permitted as will be inadequate for the safety and soundness of the company granting the same or as will result in the destruction of properly and economically managed competing companies, or in driving them out of business.

"The board shall also have the power and authority to give each city, town, village or locality credit for each and every hazard they may reduce or entirely remove, also for all added fire fighting equipment, increased police protection or any other equipment or improvement that has a tendency to reduce the fire hazard of any such city, town, village or locality. The board shall also have the power and authority to compel any company to give any and all policy holders credit for any and all hazard that said policy holder or holders may reduce or remove. Said credit shall be in proportion to such reduction or removal of such hazard, and said company or companies shall return to such policy holder or holders such proportional part of unearned premiums charged for such hazard that may be reduced or removed."

It will be found that this section, as submitted, would have permitted free competition between the companies from the rate obtained by the application of the general basis schedule to a point where the board thought competition was becoming destructive to competing companies or to the company granting the same. The exact language referred to in this section being as follows:

"That any insurance company authorized to transact business in accordance with this act shall have the right to reduce the maximum rate of insurance to be charged by it by filing with the board a schedule of its reduction or elimination of the items of deficiency charges, or of the increase in the number of items

of credit or in the amount of any or all of its said items of credit, etc."

That the Senate conferees declined to accept or accede to this amendment of the House bill, and that they proposed their amendment, which is embraced in another report filed by us; that the House conferees agreed to accept the amendment proposed by the Senate conferees in the event they would further provide in this amendment that when any company wrote insurance at a lower rate than the maximum rate made by the application of the general basis schedule, then that such company should write all its insurance at such low rate, and that there should be no discrimination between risks or classes of risks nor between individuals.

That the Senate conferees declined to accede to this amendment, stating frankly to the House conferees that they did not desire to prohibit discrimination but desired discrimination to prevail.

It being one of the main purposes of the House bill to prevent discrimination, we can not accede to the amendment of the Senate, and recommend that the amendments of the Senate be not accepted, but that same be rejected and that the House adhere to the original House bill as it passed the House.

Respectfully submitted,  
CRAWFORD,  
CAVES.

Question—Shall the report of the Free Conference Committee be adopted?

Mr. Fuller moved the previous question on the adoption of the report, and the main question was ordered.

Yeas and nays were demanded, and the House refused to adopt the report of the Free Conference Committee by the following vote:

#### Yeas—23.

Aston.	Rabb.
Bierschwale.	Robertson of Bell.
Bowles.	Robertson of
Buchanan.	Travis.
Haxthausen.	Schluter.
Kennedy.	Standifer.
Leach.	Strickland.
McDonald.	Tillotson.
McGown.	Von Rosenberg.
Munson.	Watson.
O'Bryan.	Werner.
Pearson.	Wilson.

#### Nays—87.

Adams.	Baker of Hood.
Anderson.	Baker of Panola.

Ballengee.	Lee.
Barrett.	Lively.
Bartlett.	Looney.
Bell.	Luce.
Bogard.	Maddox.
Bostic.	Mason.
Boswell.	Maxwell.
Branch.	McCallum.
Briscoe.	McDaniel.
Brooks.	McKinney.
Brookshire.	Minton.
Brownlee.	Moller.
Cable.	Morris.
Canales.	Nelson of Hopkins.
Caves.	Nelson of
Cox.	Kaufman.
Craven.	Nickels.
Crawford.	O'Bryant.
Crockett of	Odom.
Mitchell.	Penn.
Cureton.	Pharr.
Currey.	Porter.
Dalby.	Ralston.
Davis.	Ray.
Dotson.	Rayburn.
Driggers.	Reedy.
Elliott.	Reid.
Fant.	Roach.
Fitzhugh.	Ross.
Fuller.	Schofield.
German.	Self.
Gilmore.	Smith.
Goodman.	Stamps.
Hamilton of	Stephenson.
McCulloch.	Stepter.
Harman.	Stratton.
Highsmith.	Tarver.
Humphrey.	Terrell of
Hunt.	Cherokee.
Jackson.	Turner.
Jennings.	Vaughan.
Johnson.	Walter.
Johnston.	Wilburn.

Present—Not Voting.

Lawson.

Absent.

Byrne.	Matthews.
Cathey.	Perkins.
Chaney.	Spradley.
Crisp.	Stead.

Absent—Excused.

Brown.	Hill.
Crockett of	Keeble.
Washington.	McLain.
Graham.	Turney.
Hamilton of	Yantis.
Childress.	

PAIRED.

Mr. Terrell of Bexar (present), who would vote "nay," with Mr. Wahrmond (absent), who would vote "yea."

Mr. Roberson of Erath (present), who would vote "nay," with Mr. Flournoy (absent), who would vote "yea."

## REASONS OF VOTES.

I vote "aye" because a failure to adopt the report of the conference committee will defeat all legislation at this session, and while I prefer the House bill to that of the Senate, I believe the Senate bill is a better law than the present insurance law and I am therefore constrained to vote for the same.

ROBERTSON of Travis.

I vote "no" upon the adoption of the Free Conference Committee report having, with the other members of the House Conference Committee, reserved that right, because I can not bring myself to support the proposition of the State legalizing unlimited and uncontrolled discrimination in the matter of insurance rates when that is the identical thing we have sought to prevent.

GILMORE.

I vote "aye" on the adoption of the Conference Committee report because I believe it will be an improvement on the present law, and such defects as are developed can be corrected at the Regular Session in January next; and in the hope that if an agreement can be reached another special session may be avoided.

TILLOTSON.

## NEW FREE CONFERENCE COMMITTEE ON HOUSE BILL NO. 7.

Mr. Gilmore moved that the Free Conference Committee on House bill No. 7 be discharged, that the House appoint a new Free Conference Committee, and that the Senate he requested to appoint a new Free Conference Committee to adjust the differences between the two houses on the bill.

The motion prevailed.

In accordance with the above action, the Speaker announced the appointment of the following new Free Conference Committee on the part of the House: Messrs. Vaughan, Moller, Looney, Lee and Stratton.

## MESSAGE FROM THE SENATE.

Senate Chamber,  
Austin, Texas, August 16, 1910.

Hon. John Marshall, Speaker of the House of Representatives.

Sir: I am directed by the Senate to inform the House that the Senate has adopted the Free Conference Committee report on House bill No. 7 by a two-thirds vote: Yeas, 21; nays, 7.

Respectfully,

CLYDE D. SMITH,  
Secretary of the Senate.

## MESSAGE FROM THE SENATE.

Senate Chamber,  
Austin, Texas, August 17, 1910.

Hon. John Marshall, Speaker of the House of Representatives.

Sir: I am directed by the Senate to inform the House that the Senate has passed the following bill:

House bill No. 38, A bill to be entitled "An Act denouncing as a nuisance any place, room or building in any county, justice precinct, town, city or subdivision of a county as may be designated by the commissioners court of said county in which the sale of intoxicating liquors have been prohibited under the laws of this State, kept or used for the purpose of selling intoxicating liquor in violation of law; also denouncing as a nuisance any intoxicating liquor kept, possessed or used for such purpose, and the tools, appliances and furniture used therewith, prescribing a suitable procedure for the search and seizure of any such liquor, tools, appliances and furniture, for the trial of the issue presented, the judgment to be rendered therein; also to prevent by means of the writ of injunction at the suit of the State or any citizen thereof, the use or the contemplated use, or threatened use, of any such place, room or building, or the keeping of any such intoxicating liquor and the tools, appliances and furniture used therewith, for any such illegal purpose, and declaring an emergency."

Respectfully,

CLYDE D. SMITH,  
Secretary of the Senate.

## BILLS SIGNED BY THE SPEAKER.

The Speaker signed, in the presence of the House, after giving due notice thereof, and their captions had been read severally, the following bills:

House bill No. 40, "An Act to incorporate the city of San Antonio, Bexar county, Texas, and to grant it a new charter; to provide for a commission form of government; to define its powers and to prescribe its duties and liabilities; to provide for the approval of said charter by the qualified electors of said city and to declare an emergency, and to repeal all acts in conflict herewith."

House bill No. 44, "An Act to amend Sections 6 and 7, of Chapter 69, of the Local and Special Laws of the Thirtieth Legislature, being entitled 'An Act to amend the special road law of Van

Zandt county, Texas,' as enacted by the Twenty-eighth Legislature, and sent to the Governor for approval on the 18th of March, 1903, and to authorize and empower the commissioners court of said county to issue bonds for the permanent improvement of the public roads of said county, and declaring an emergency."

House bill No. 29, "An Act to amend an act entitled 'An Act granting Palestine, Anderson county, Texas, a new charter of incorporation, repealing all laws and parts of laws in conflict therewith, and declaring an emergency.'"

House bill No. 19, "An Act to amend Article 411ppp and 411qqq, Title 11, Chapter 6e, Penal Code of the State of Texas, passed by the Regular Session of the Twenty-ninth Legislature of Texas, and approved April 18, 1905, prescribing certain restrictions to be placed upon the shipment and transportation of intoxicating liquors into any county, justice precinct, school district, city or town, or subdivision of a county within this State, where the sale of intoxicating liquors has been prohibited under the laws of this State: prescribing that a book shall be kept in which shall be entered the transactions pertaining to the receipt, shipment and transportation, and delivery of such intoxicating liquors, and fixing penalties for the violations of this act, and declaring an emergency."

House bill No. 42, "An Act to further regulate the sale and disposition of spirituous, vinous and malt liquors and medicated bitters capable of producing intoxication, in all territory where the sale of such liquors has been prohibited, except for sacramental and medicinal purposes, by a majority vote of the people; and further regulating the terms and conditions on which licenses may issue to sell such liquors in such territory, and requiring petition signed by a majority of the qualified voters of the justice precinct where business is to be conducted before license shall issue; providing that no license issue for a longer or shorter period than one year; canceling all such licenses now in force and providing for refund of unearned portions of all canceled licenses, and declaring an emergency."

House bill No. 37, "An Act to amend Article 359, Chapter 4, Title 10, of the Penal Code of the State of Texas, as amended by Chapter 132 of the Acts of the Thirtieth Legislature, defining what constitutes a disorderly house, so as to include any house located in any coun-

ty, justice precinct or other subdivision of a county where the sale of intoxicating liquor has been legally prohibited in which such non-intoxicating malt liquors are sold or kept for the purpose of sale as to require the seller thereof to obtain United States revenue license as a retail malt liquor dealer, or any house where the owner, proprietor or lessee thereof has posted United States internal revenue license as a retail liquor dealer or as a retail malt liquor dealer."

House bill No. 34, "An Act making appropriation for the purpose of overhauling and repairing three boilers at the Deaf and Dumb Asylum, and to put them in safe working condition, providing the manner of expenditure of such appropriation, and declaring an emergency."

House bill No. 31, "An Act making appropriations for repairing, improving and constructing a sewerage system, and for general repairs at the North Texas Hospital for the Insane, and declaring an emergency."

Senate Joint Resolution No. 1, Ratifying the Sixteenth Amendment to the Constitution of the United States of America.

#### RECESS.

On motion of Mr. Kennedy, the House, at 6:25 o'clock p. m., took a recess until 8 o'clock p. m. today.

#### NIGHT SESSION.

The House met at 8 o'clock p. m. and was called to order by the Speaker.

#### LEAVE OF ABSENCE GRANTED.

The Speaker stated that if there was no objection, Messrs. Vaughan, Moller, Looney, Lee and Stratton, the new Free Conference Committee on House bill No. 7, would be excused temporarily on account of important committee work.

There was no objection offered.

#### MESSAGE FROM THE SENATE.

Senate Chamber,  
Austin, Texas, August 17, 1910.

Hon. John Marshall, Speaker of the House of Representatives.

Sir: I am directed by the Senate to inform the House that the Senate grants the request of the House for a Free Conference Committee on House bill No. 7, and the following committee has been

appointed on the part of the Senate: Senators Hudspeth, Terrell of Bowie, Alexander, Brachfield and Weinert.

Respectfully,  
CLYDE D. SMITH,  
Secretary of the Senate.

#### MESSAGE FROM THE SENATE.

Senate Chamber,  
Austin, Texas, August 17, 1910.

Hon. John Marshall, Speaker of the House of Representatives.

Sir: I am directed by the Senate to inform the House that the Senate has passed the following bill:

House bill No. 13, A bill to be entitled "An Act providing for the election, qualification, bond and duties of the Comptroller of Public Accounts of the State of Texas and of his employes; providing for a complete system of accounting, bookkeeping and auditing for said departments with other departments and officers of the government; providing that the Comptroller shall prescribe and furnish forms to be used in the collection of revenue and claims; providing for the appointment of a chief clerk, and prescribing his duties; providing for filling vacancies in the office of the Comptroller; repealing Articles 2818, 2819, 2820, 2821, 2822, 2823, 2824, 2825, 2826, 2827, 2828, 2829, 2831, 2832, 2833, 2834, 2835, 2836, 2837, 2838, 2839, 2840, 2841, 2842, 2843, 2844, 2845, 2846, 2847 and 2848 of Chapter 2 of Title 52 of the Revised Civil Statutes of 1895, relating to the duties of the Comptroller in connection with the bookkeeping and auditing of the Comptroller's Department, and all laws and parts of laws in conflict with this act, and declaring an emergency," with amendments.

Respectfully,  
CLYDE D. SMITH,  
Secretary of the Senate.

#### HOUSE BILL NO. 13 WITH SENATE AMENDMENTS.

Mr. Caves called up from the Speaker's table with Senate amendments, for consideration of the amendments.

House bill No. 13, A bill to be entitled "An Act providing for the election, qualification, bond and duties of the Comptroller of Public Accounts of the State of Texas and of his employes; providing for a complete system of accounting, bookkeeping and auditing for said department with other departments and officers of the government;

providing that the Comptroller shall prescribe and furnish forms to be used in the collection of revenue and claims; providing for the appointment of a chief clerk and prescribing his duties; providing for filling vacancies in the office of the Comptroller; repealing Articles 2818, 2819, 2820, 2821, 2822, 2823, 2824, 2825, 2826, 2827, 2828, 2829, 2831, 2832, 2833, 2834, 2835, 2836, 2837, 2838, 2839, 2840, 2841, 2842, 2843, 2844, 2845, 2846, 2847 and 2848, of Chapter 2, of Title 52, of the Revised Civil Statutes of 1895, relating to the duties of the Comptroller in connection with the bookkeeping and auditing of the Comptroller's Department, and all laws and parts of laws in conflict with this act, and declaring an emergency."

The Speaker laid the bill before the House, and the Senate amendments were read, as follows:

(1)

Amend the bill by striking out the words "and the same shall" in line 11, page 8.

(2)

Amend the bill by striking out the words "and the same shall" in line 30, page 7.

(3)

Amend the bill (committee amendment) by adding after the word "act" in line 2, of Section 30, the words "such warrants shall be separately serially numbered."

(4)

Amend the bill (committee amendment), Section 15a, by striking out the word "assessor," line 16, page 17, and inserting the word "collector."

(5)

Amend the bill, page 14, line 20, by inserting after the word "Treasurer" the words "shall be stated."

(6)

Amend the bill, Section 2, page 2, line 10, by striking out the words "if in session" and substituting therefor the words "in accordance with law."

On motion of Mr. Caves, the House concurred in the Senate amendments.

#### MESSAGE FROM THE SENATE.

Senate Chamber,  
Austin, Texas, August 17, 1910.

Hon. John Marshall, Speaker of the House of Representatives.

Sir: I am directed by the Senate to

inform the House that the Free Conference Committee, appointed by the Senate on House bill No. 7, having failed to agree with the House committee, the committee has been discharged, and a new Free Conference Committee has been appointed the following: Senators Murray, Senter, Bryan, Harper and Paulus.

Respectfully,  
CLYDE D. SMITH,  
Secretary of the Senate.

INVITING HON. LOUIS J. WORTHAM  
TO ADDRESS HOUSE.

Mr. Rayburn offered the following resolution:

Resolved, That Hon. Louis J. Wortham be invited to deliver to the House his matchless address on the Texas Exhibit to the World's Fair.

RAYBURN,  
ASTON,  
CRAWFORD.

The resolution was read second time, and was adopted.

The Speaker appointed Messrs. Rayburn and Aston to escort Mr. Wortham to the Speaker's stand.

MOTION TO TAKE UP SENATE BILL  
NO. 3.

Mr. Davis moved that Section 7 of Rule 18, requiring bills to be referred to and be reported from committees be suspended, and that Senate bill No. 3 be taken up and placed on second reading and passage to third reading.

Mr. Crawford raised a point of order on consideration of the motion on the ground that the Constitution of Texas requires that a bill shall be referred to and be reported from a committee at least three days before final adjournment of the Legislature, and that said bill, not having been reported from the House Committee on Insurance, could not be considered at this time.

The Speaker overruled the point of order.

Mr. Buchanan moved the previous question on the motion to suspend the rule, and the main question was ordered.

Question—Shall Section 7 of Rule 18 be suspended?

Yeas and nays were demanded, and the motion to suspend was lost by the following vote:

Yeas—38.

Barrett.	Brooks.
Bierschwale.	Brookshire.
Bowles.	Buchanan.

Cable.	Pearson.
Cox.	Penn.
Crockett of Mitchell.	Perkins.
Davis.	Porter.
Fitzhugh.	Rabb.
Haxthausen.	Ray.
Jennings.	Robertson of Bell.
Johnson.	Schluter.
Kennedy.	Self.
Lawson.	Stratton.
Leach.	Tillotson.
McDaniel.	Von Rosenberg.
McDonald.	Watson.
Nelson of Hopkins.	Werner.
Nickels.	Wilson.
O'Bryan.	Wortham.

Nays—69.

Adams.	Luce.
Anderson.	Maddox.
Aston.	Mason.
Baker of Hood.	Maxwell.
Baker of Panola.	McCallum.
Ballengee.	McKinney.
Bartlett.	Minton.
Bogard.	Moller.
Bostic.	Morris.
Boswell.	Nelson of Kaufman.
Branch.	O'Bryant.
Briscoe.	Odom.
Brownlee.	Pharr.
Cathey.	Ralston.
Caves.	Rayburn.
Craven.	Reedy.
Crawford.	Reid.
Cureton.	Roach.
Currey.	Roberson of Erath.
Dalby.	Robertson of Travis.
Dotson.	Ross.
Driggers.	Schofield.
Fant.	Smith.
Fuller.	Stamps.
German.	Standifer.
Gilmore.	Stephenson.
Goodman.	Stepter.
Hamilton of McCulloch.	Strickland.
Harman.	Tarver.
Humphrey.	Terrell of Bexar.
Hunt.	Terrell of Cherokee.
Jackson.	Walter.
Johnston.	Wilburn.
Keeble.	
Lively.	
Looney.	

Absent.

Bell.	Matthews.
Byrne.	McGown.
Canales.	Munson.
Chaney.	Spradley.
Crisp.	Stead.
Elliott.	Turner.
Flournoy.	Vaughan.
Highsmith.	Wahrmund.

## Absent—Excused.

Brown.	Hill.
Crockett of	Lee.
Washington.	McLain.
Graham.	Turney.
Hamilton of	Yantis.
Childress.	

(Pending consideration of the motion to take up Senate bill No. 3, Mr. Dotson occupied the chair temporarily.)  
(Speaker in the chair.)

REPORT OF THE FREE CONFERENCE COMMITTEE ON HOUSE BILL NO. 7.

Mr. Vaughan, Chairman, submitted the following report, which was read to the House:

Austin, Texas, August 17, 1910.

Hon. John Marshall, Speaker of the House of Representatives.

Sir: We, your Free Conference Committee, appointed to adjust the differences between the House and the Senate on House bill No. 7, beg leave to report that we are unable to reach an agreement with the Senate committee, and ask to be discharged.

VAUGHAN,  
LEE,  
LOONEY,  
STRATTON,  
MOLLER.

Mr. Johnson moved that the new Free Conference Committee on House bill No. 7 be discharged, with the full endorsement of the House.

The motion prevailed.

MESSAGE FROM THE SENATE.

Senate Chamber,

Austin, Texas, August 17, 1910.

Hon. John Marshall, Speaker of the House of Representatives.

Sir: I am directed by the Senate to inform the House that the Free Conference Committee appointed on the part of the Senate on House bill No. 7, having failed to agree with the House committee, the Senate committee has been discharged, and the Senate adheres to the original Free Conference Committee report.

Respectfully,  
CLYDE D. SMITH,  
Secretary of the Senate.

BILLS SIGNED BY THE SPEAKER.

The Speaker signed, in the presence of the House, after giving due notice there-

of, and their captions had been read severally, the following bills:

House bill No. 13, "An Act providing for the election, qualification, bond and duties of the Comptroller of Public Accounts of the State of Texas and of his employes; providing for a complete system of accounting, bookkeeping and auditing for said departments with other departments and officers of the government; providing that the Comptroller shall prescribe and furnish forms to be used in the collection of revenue and claims; providing for the appointment of a chief clerk and prescribing his duties; providing for filling vacancies in the office of the Comptroller; repealing Articles 2818, 2819, 2820, 2821, 2822, 2823, 2824, 2825, 2826, 2827, 2828, 2829, 2831, 2832, 2833, 2834, 2835, 2836, 2837, 2838, 2839, 2840, 2841, 2842, 2843, 2844, 2845, 2846, 2847 and 2848, of Chapter 2, of Title 52 of the Revised Civil Statutes of 1895 relating to the duties of the Comptroller in connection with the bookkeeping and auditing of the Comptroller's Department, and all laws and parts of laws in conflict with this act, and declaring an emergency."

House bill No. 38, "An Act denouncing as a nuisance any place, room or building in any county, justice precinct, town, city or subdivision of a county as may be designated by the commissioners court of said county in which the sale of intoxicating liquors have been prohibited under the laws of this State, kept or used for the purpose of selling intoxicating liquor in violation of law, also denouncing as a nuisance any intoxicating liquor kept, possessed or used for such purpose and the tools, appliances and furniture used therewith, prescribing a suitable procedure for the search and seizure of any such liquor, tools, appliances and furniture, for the trial of the issue presented, the judgment to be rendered therein, also to prevent by means of the writ of injunction at the suit of the State or any citizen thereof, the use or the contemplated use, or threatened use of any such place, room or building or the keeping of any such intoxicating liquor and the tools, appliances and furniture used therewith, for any such illegal purpose, and declaring an emergency."

Senate bill No. 20, "An Act making an appropriation for a deficiency in support of the State government for the fiscal year ending August 31, 1910, being to pay for the services of a clerk employed by the Tax Commissioner of



the State of Texas, and declaring an emergency."

Senate bill No. 21, "An Act to authorize and empower Lamar county or any political subdivision of said county by a vote of two-thirds majority of the resident property taxpayers, qualified voters of such county or political subdivision thereof, voting thereon, to issue bonds to any amount not exceeding one-fourth of the assessed valuation of the real property of such county or of such political subdivision, and to levy and collect taxes to pay the interest on such bonds and to provide a sinking fund for the redemption thereof for the purpose of constructing, maintaining and operating macadamized, graveled or paved roads and turnpikes and prescribing ways and means of conducting and supervising said work, and to repeal Chapter 72 of the Special Laws of the Thirty-first Legislature creating a special road law for Lamar county, approved March 17, 1909, and declaring an emergency."

#### COMMITTEES TO NOTIFY GOVERNOR AND SENATE.

Mr. Fuller moved that two committees of three members each be appointed, one to notify the Governor and the other to notify the Senate, that the House is completing its labors, and is now about ready to adjourn sine die.

The motion prevailed.

In accordance with the above action, the Speaker announced the appointment of the following committees:

To notify the Governor—Messrs. Fuller, McDaniel and Hunt.

To notify the Senate—Messrs. Cathey, Maddox and Watson.

#### GOVERNOR NOTIFIED.

The committee appointed to notify the Governor appeared at the bar of the House and, being duly announced, stated that the duty had been performed and that the Governor would at once send a message to the House.

#### SENATE NOTIFIED.

The committee appointed to notify the Senate appeared at the bar of the House and, being duly announced, stated that the duty had been performed.

#### HOUSE NOTIFIED.

A committee from the Senate appeared at the bar of the House and, be-

ing duly announced, notified the House that the Senate was completing its labors and was about ready to adjourn sine die.

#### MESSAGE FROM THE GOVERNOR.

Hon. J. R. Bowman, private secretary to the Governor, appeared at the bar of the House and, being duly announced, presented a message from the Governor, which was read as follows:

Executive Office,  
State of Texas,

Austin, Texas, August 17, 1910.

To the Legislature:

I have the honor to transmit herewith proclamation of the Governor of the State of Texas, convening the Legislature in Special Session to meet in the city of Austin, Texas, beginning at 8:30 o'clock a. m., Thursday, August 18, A. D. 1910, for the purposes contained in said proclamation.

Very respectfully,

T. M. CAMPBELL,  
Governor of Texas.

#### PROCLAMATION BY THE GOVERNOR.

Executive Office,  
State of Texas.

I, T. M. Campbell, Governor of the State of Texas, by virtue of authority vested in me by the Constitution, do hereby call a Special Session of the Thirty-first Legislature to convene in the city of Austin, Texas, beginning at 8:30 o'clock a. m. Thursday, August 18, A. D. 1910, for the following purposes and for legislation on the following subjects, to-wit:

1. Legislation amending Articles 4549 and 4950, of Chapter 11, Title 94, of the Revised Statutes of the State of Texas, and to prescribe the conditions upon which the purchaser, or purchasers, and associates, if any, of the property and franchises of a railroad company may become owners of its charter or may organize a new corporation, and governing, regulating and limiting the stocks and bonds of such new corporation and of the old corporation after the sale of its property and franchises, and providing for the protection of holders of claims against the old corporation, including claims for death and for personal injuries sustained in the operation of the railroad by the company or by any receiver thereof, and for loss of

and damages to property sustained in the operation of the railroad by such company and by any receiver thereof, and for the current expenses of such operation, including labor, supplies and repairs, and such other legislation in respect to the subject here mentioned as may be appropriate and necessary in the premises.

2. Legislation providing for a Board of Prison Commissioners, Superintendent of Prisons and other officers and employees, and for the care, management, discipline and method of employment of convicts confined in the State penitentiaries; providing for the working of convicts on State account, and the passage of such further laws relating to the State's penitentiary system as the Legislature, in its wisdom, may enact.

3. The enactment of adequate laws defining "bills of lading" and defining the word "carriers." Providing that it shall be the duty of common carriers, and their officers and agents, to issue negotiable bills of lading and straight or non-negotiable bills of lading at the request of the shipper, between certain places to be prescribed in the law, and defining negotiable or order bills of lading and non-negotiable or straight bills of lading and prescribing the necessary requirements for all bills of lading; to make all negotiable bills of lading negotiable by indorsement and delivery in the same manner as bills of exchange and promissory notes and prohibiting the placing upon negotiable bills of lading any terms which would in any manner limit their negotiability; and providing for the division of bills of lading into such different series as may be appropriate and defining each series, prescribing how bills of lading shall be issued and prohibiting the issuing of negotiable bills of lading in part or parts, except as prescribed by law; prescribing the duties of general freight agents or persons authorized to act for them and the duties of local station agents of common carriers, and for such additional legislation on this subject as business conditions and the general welfare may demand.

4. Legislation requiring persons, firms, corporations and associations of persons engaged in compressing cotton in this State to so bind and tie all bales of cotton so that no bale of cotton by them compressed, recompressed, baled or rebaled, shall be delivered to any railroad company or other common carrier unless the same is free from "spiders,"

exposed ends of bands or any exposed or any obtruding part of the ties, bands, buckles or splices used in tying or baling such bale of cotton, and to provide penalties and methods of enforcement of the laws enacted on this subject.

5. Legislation requiring the erection and maintenance of buildings for the protection from rain, wind and inclement weather of employees engaged in repairing railroad cars and other railroad equipment, and providing penalties for violations, and regulating suits for such penalties, and such further legislation upon this subject as may be appropriate and is necessary to provide proper protection to employees engaged in such work.

6. To enact a law repealing the law enacted by the Thirty-first Legislature at its First Called Session, known as Chapter 18, and entitled "An Act providing conditions upon which fire insurance companies shall transact business in this State, and providing for the regulation and control of rates of premium on fire insurance, and to prevent discrimination therein and to create a Fire Insurance Rating Board, and to provide penalties for violations of this act, and declaring an emergency," and to enact adequate laws regulating and fixing rates and preventing unjust discriminations by fire insurance companies and to prevent combinations between such companies to destroy competition in fire insurance rates in Texas, and to provide penalties therefor and to provide all necessary means for the enforcement of such laws.

7. To consider and act upon such other matters as may hereafter be presented by me, pursuant to Section 40, Article 3, of the Constitution of the State of Texas.

In testimony whereof, I have set my hand and caused the seal of the State of Texas to be affixed at Austin, Texas, this the 17th day of August, A. D. 1910.

(Seal.) T. M. CAMPBELL,  
Governor of Texas.

By the Governor:  
W. B. TOWNSEND,  
Secretary of State.

ADJOURNMENT WITHOUT DAY.

Speaker Marshall announced that the hour of 12 o'clock, midnight, having arrived, under constitutional limitation, the Third Called Session of the Thirty-first Legislature has terminated. Here the gavel fell.

## APPENDIX.

## COMMUNICATION FROM HON. O. B. COLQUITT.

The Speaker laid before the House and had read the following communication:

Austin, Texas, August 16, 1910.

Hon. John Marshall, Speaker of the House of Representatives.

My Dear Sir: Your note of yesterday confirming resolution adopted by the House authorizing you to invite me to address that body, is duly received.

Please convey to the House of Representatives my most sincere appreciation of the honor they have done me in extending this invitation to address them. Also express to that body the sincere appreciation of Mrs. Colquitt and myself and our children for the resolutions of sympathy which they adopted on the occasion of the death of our beloved son, Walter Fuller Colquitt. On account of this bereavement, I am not in a frame of mind to discuss public questions just at this time, and beg the House of Representatives to accept this reason as my apology for not complying with their request.

Very respectfully,  
O. B. COLQUITT.

## REPORT OF THE COMMITTEE ON ENGROSSED BILLS.

Committee Room,  
Austin, Texas, August 17, 1910.

Hon. John Marshall, Speaker of the House of Representatives.

Sir: We, your Committee on Engrossed Bills, have carefully examined and compared

House bill No. 43, A bill being entitled "An Act making it a misdemeanor to sell, give away or drink or permit to be sold, given away or drunk, spirituous, vinous or malt liquors, whether capable of producing intoxication or not, in any bawdy house, disorderly house, assignation house; defining a bawdy house, a disorderly house, assignation house; providing a penalty for the violation of this act, and declaring an emergency,"

And find the same correctly engrossed.  
ODOM, Chairman.

## REPORTS OF COMMITTEE ON ENROLLED BILLS.

Committee Room,  
Austin, Texas, August 17, 1910.

Hon. John Marshall, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills have carefully examined and compared

House bill No. 40, "An Act to incorporate the city of San Antonio, Bexar county, Texas, and to grant it a new charter; to provide for a commission form of government; to define its powers and to prescribe its duties and liabilities; to provide for the approval of said charter by the qualified electors of said city, and to declare an emergency, and to repeal all acts in conflict herewith,"

And find the same correctly enrolled, and did this day, at 10:14 o'clock a. m., present the same to the Governor for his signature.

SCHOFIELD, Chairman.

Committee Room,  
Austin, Texas, August 17, 1910.

Hon. John Marshall, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills have carefully examined and compared

House bill No. 44, "An Act to amend Sections 6 and 7, of Chapter 69, of the Local and Special Laws of the Thirtieth Legislature, being entitled 'An Act to amend the special road law of Van Zandt county, Texas, as enacted by the Twenty-eighth Legislature, and sent to the Governor for approval on the 18th day of March, 1903, and to authorize and empower the commissioners court of said county to issue bonds for the permanent improvement of the public roads of said county, and declaring an emergency,'"

And find the same correctly enrolled, and have this day, at 5:45 o'clock p. m., presented the same to the Governor for his signature.

SCHOFIELD, Chairman.

Committee Room,  
Austin, Texas, August 17, 1910.

Hon. John Marshall, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills have carefully examined and compared

House bill No. 19, "An Act to amend Chapter 160 of the General Laws of the State of Texas, passed by the Twenty-ninth Legislature, pages 379, 380 and

381 of the Session Acts, and approved April 18, 1905, prescribing certain restrictions to be placed upon the shipment and transportation of intoxicating liquors into any county, justice precinct, school district, city or town or subdivision of a county within this State where the sale of intoxicating liquors has been or may hereafter be prohibited under the laws of this State; providing that where any such intoxicating liquor is not called for and taken away and the charges thereon, if any, paid by the consignee, it shall be started in transit back to the consignor within seven days from the time of its arrival at its destination; prescribing that a book, to be open for public inspection, shall be kept in which shall be entered the transactions pertaining to the receipt, shipment and transportation and delivery of such intoxicating liquors, and fixing penalties for violations of this act, and declaring an emergency."

And find the same correctly enrolled, and have this day at 5:45 o'clock p. m., presented the same to the Governor for his signature.

SCHOFIELD, Chairman.

Committee Room,  
Austin, Texas, August 17, 1910.

Hon. John Marshall, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills have carefully examined and compared

House bill No. 29, "An Act to amend an act entitled 'An Act granting Palestine, Anderson county, Texas, a new charter of incorporation, repealing all laws and parts of laws in conflict therewith, and declaring an emergency,' passed by the Thirty-first Legislature, and approved March 19, 1909. Said act to be amended by adding after Article 13 of the same, Article 13a, restricting the location or maintenance of any places where spirituous, vinous or malt liquors or medicated bitters capable of producing intoxication are sold at retail, to certain streets in the city,"

And find the same correctly enrolled, and have this day, at 5:45 o'clock p. m., presented the same to the Governor for his signature.

SCHOFIELD, Chairman.

Committee Room,  
Austin, Texas, August 17, 1910.

Hon. John Marshall, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled

Bills have carefully examined and compared

House bill No. 42, "An Act to further regulate the sale and disposition of spirituous, vinous and malt liquors and medicated bitters capable of producing intoxication, in all territory where the sale of such liquors has been prohibited, except for sacramental and medicinal purposes, by a majority vote of the people; and further regulating the terms and conditions on which licenses may issue to sell such liquors in such territory, and requiring petition signed by a majority of the qualified voters of the justice precinct where business is to be conducted before license shall issue; providing that no license shall issue for a longer or shorter period than one year; canceling all such licenses now in force and providing for refund of unearned portions of all canceled licenses, and declaring an emergency."

And find the same correctly enrolled, and have this day, at 5:45 o'clock p. m., presented the same to the Governor for his signature.

SCHOFIELD, Chairman.

Committee Room,  
Austin, Texas, August 17, 1910.

Hon. John Marshall, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills have carefully examined and compared

House bill No. 34, "An Act making appropriation for the purpose of overhauling and repairing three boilers at the Deaf and Dumb Asylum, and to put them in safe working condition, providing the manner of the expenditure of such appropriation, and declaring an emergency."

And find the same correctly enrolled, and have this day, at 5:45 o'clock p. m., presented the same to the Governor for his signature.

SCHOFIELD, Chairman.

Committee Room,  
Austin, Texas, August 17, 1910.

Hon. John Marshall, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills have carefully examined and compared

House bill No. 31, "An Act making appropriations for repairing, improving and constructing a sewerage system and for general repairs at the North Texas Hospital for the Insane, and declaring an emergency,"

And find the same correctly enrolled, and did this day, at 5:45 o'clock p. m., present the same to the Governor for his signature.

SCHOFIELD, Chairman.

Committee Room,  
Austin, Texas, August 17, 1910.

Hon. John Marshall, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills have carefully examined and compared

House bill No. 37, "An Act to amend Article 359, Chapter 4, Title 10, of the Penal Code of the State of Texas, as amended by Chapter 132 of the Acts of the Thirtieth Legislature, defining what constitutes a disorderly house so as to include any house located in any county, justice precinct or other subdivision of a county where the sale of intoxicating liquor has been legally prohibited in which such non-intoxicating malt liquors are sold or kept for the purpose of sale as require the seller thereof to obtain United States revenue license as a retail malt liquor dealer, or any house where the owner, proprietor or lessee thereof has posted United States Internal Revenue license as a retail liquor dealer or as a retail malt liquor dealer,"

And find the same correctly enrolled, and have this day, at 5:45 o'clock p. m., presented the same to the Governor for his signature.

SCHOFIELD, Chairman.

Committee Room,  
Austin, Texas, August 17, 1910.

Hon. John Marshall, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills have carefully examined and compared

House bill No. 38, "An Act denouncing as a nuisance any place, room or building in any county, justice precinct, town, city or such subdivision of a county as may be designated by the commissioners court of said county, in which the sale of intoxicating liquors has been prohibited under the laws of this State, kept or used for the purpose of selling intoxicating liquor in violation of law, also denouncing as a nuisance any intoxicating liquor kept, possessed or used for such purpose and the tools, appli-

ances and furniture used therewith, prescribing a suitable procedure for the search and seizure of any such liquor, tools, appliances and furniture, for the trial of the issue presented, the judgment to be rendered therein, also to prevent by means of the writ of injunction at the suit of the State or any citizen thereof, the use or the contemplated use, or threatened use of any such place, room or building or the keeping of any such intoxicating liquor and the tools, appliances and furniture used therewith, for any such illegal purpose, and providing an emergency,"

And find the same correctly enrolled, and have this day, at — o'clock p. m., presented the same to the Governor for signature.

SCHOFIELD, Chairman.

Committee Room,  
Austin, Texas, August 17, 1910.

Hon. John Marshall, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills have carefully examined and compared

House bill No. 13, "An Act providing for the election, qualification, bond and duties of the Comptroller of Public Accounts of the State of Texas, and the duties of his employees; providing for a complete system of accounting, book-keeping and auditing for said department with other departments and officers of the government; providing that the Comptroller shall prescribe and furnish forms to be used in the collection of revenue and claims; providing for the appointment of a chief clerk and his duties; providing for filling vacancies in the office of the Comptroller, repealing Articles 2818, 2819, 2820, 2821, 2822, 2823, 2824, 2825, 2826, 2827, 2828, 2829, 2831, 2832, 2833, 2834, 2835, 2836, 2837, 2838, 2839, 2840, 2841, 2842, 2843, 2844, 2845, 2846, 2847, 2848 of Chapter 2 of Title 52 of the Revised Civil Statutes of 1895, relating to the election, qualification and duties of the Comptroller, and the appointment, qualification and duties of a chief clerk, and all laws and parts of laws in conflict with this act, and declaring an emergency."

And find the same correctly enrolled, and have this day, at — o'clock p. m., presented the same to the Governor for his signature.

SCHOFIELD, Chairman.

## REPORT OF SERGEANT-AT-ARMS.

Austin, Texas, August 17, 1910.

Hon. C. M. McCallum, Chairman of  
Committee on Contingent Expenses.Sir: You will find herewith state-  
ment of amount expended for stationery  
and an itemized account of each mem-  
ber and employe for the Third Called  
Session of the Thirty-first Legislature:

## Stationery Account.

John Marshall.....	\$ 10 75	W. M. Harman.....	2 75
Thad T. Adams.....	6 71	August Haxthausen.....	2 43
E. J. Anderson.....	5 51	C. C. Highsmith.....	5 16
J. L. Aston.....	5 05	F. F. Hill.....	1 38
Jess Baker.....	5 84	R. B. Humphrey.....	3 76
S. S. Baker.....	4 93	J. C. Hunt.....	3 42
J. I. Ballengee.....	4 33	M. G. Jackson.....	1 02
T. J. Barrett.....	1 04	S. J. Jennings.....	4 40
C. J. Bartlett.....	4 40	Marcene Johnson.....	98
J. Ross Bell.....	4 18	P. M. Johnston.....	2 16
Wm. Bierschwale.....	2 01	Walter Keeble.....	1 65
J. T. Bogard.....	3 57	A. M. Kennedy.....	3 45
S. G. Bostic.....	4 30	W. W. Lawson.....	3 79
R. Boswell.....	3 58	Pat L. Leach.....	2 94
T. J. Bowles.....	5 43	Brown F. Lee.....	4 62
P. B. Branch.....	2 95	E. C. Lively.....	2 56
J. T. Briscoe.....	2 00	B. F. Looney.....	4 53
J. A. Brooks.....	1 34	J. R. Luce.....	3 00
W. S. Brookshire.....	4 42	B. P. Maddox.....	5 84
Horace D. Brown.....	5 57	J. C. Mason.....	5 30
J. M. Brownlee.....	3 56	John Matthews.....	1 35
J. P. Buchanan.....	1 27	John Maxwell.....	1 78
Roger Byrne.....	1 63	Claude M. McCallum.....	5 27
R. L. Cable.....	1 09	E. A. McDaniel.....	2 80
J. T. Canales.....	2 75	J. G. McDonald.....	3 49
B. F. Cathey.....	1 64	W. C. McGown.....	4 08
W. W. Caves.....	6 28	A. T. McKinney.....	3 52
John C. Chaney.....	1 55	C. B. McLain.....	5 35
Jeff D. Cox.....	5 69	J. W. Minton.....	4 04
G. O. Craven.....	4 34	Jens Moller.....	6 72
W. L. Crawford.....	3 38	J. H. Morris.....	4 46
A. S. Crisp.....	5 07	M. S. Munson.....	4 28
W. B. Crockett.....	4 10	Walter A. Nelson.....	4 55
W. D. Crockett.....	5 10	I. A. J. Nelson.....	4 20
C. M. Cureton.....	4 22	Luther Nickels.....	3 18
Jno. T. Currey.....	75	W. C. O'Bryan.....	4 14
N. L. Dalby.....	2 47	Sam O'Bryant.....	5 17
W. C. Davis.....	1 75	Jesse Odom.....	2 57
Homer A. Dotson.....	4 73	C. C. Pearson.....	1 83
W. H. Driggers.....	1 14	Justo S. Penn.....	2 94
J. R. Elliott.....	4 84	W. R. Perkins.....	3 21
G. W. Fant.....	3 28	Henry E. Pharr.....	1 99
W. B. Fitzhugh.....	88	A. J. Porter.....	4 13
J. W. Flournoy.....	3 55	W. E. Rabb.....	4 23
F. O. Fuller.....	4 94	J. C. Ralston.....	1 43
S. H. German.....	3 11	W. S. Ray.....	4 90
C. E. Gilmore.....	4 48	Sam T. Rayburn.....	3 00
J. L. Goodman.....	6 93	D. M. Reedy.....	3 82
Horace Graham.....	5 67	J. G. Reid.....	1 92
G. E. Hamilton.....	6 18	Chas Roach.....	4 37
J. T. Hamilton.....	2 94	T. J. Roberson.....	4 04
		Huling P. Robertson.....	3 91
		Jas. H. Robertson.....	42
		T. S. Ross.....	4 37
		A. G. Schluter.....	5 03
		Wm. M. Schofield.....	1 59
		T. J. Self.....	5 71
		R. R. Smith.....	5 46
		C. M. Spradley.....	5 45
		W. O. Stamps.....	5 88
		Ike M. Standifer.....	1 56
		W. J. Stead.....	99
		J. D. Stephenson.....	4 94

W. S. Stepter.....	4 23	Stamp Account.	
Sam E. Stratton.....	1 04	John Marshall .....	\$ 5 00
J. J. Strickland.....	4 39	Thad T. Adams.....	5 00
W. A. Tarver.....	5 18	E. J. Anderson.....	5 00
Chester H. Terrell.....	1 04	J. L. Aston.....	5 00
George B. Terrell.....	3 20	Jess Baker .....	5 00
Leonard Tillotson.....	6 39	Sidney S. Baker.....	2 00
J. P. Turner.....	2 46	J. I. Ballengee.....	5 00
A. M. Turney.....	3 06	T. J. Barrett.....	5 00
B. F. Vaughan.....	6 25	C. J. Bartlett.....	5 00
C. J. Von Rosenberg.....	3 14	J. Ross Bell.....	5 00
Otto Wahrmond.....	40	William Bierschwale .....	5 00
C. K. Walter.....	2 37	J. T. Bogard.....	5 00
D. Watson .....	3 71	S. G. Bostic.....	5 00
S. Wilburn.....	3 40	R. Boswell .....	5 00
L. P. Wilson.....	5 23	T. J. Bowles.....	5 00
Louis J. Wortham.....	1 75	P. B. Branch.....	5 00
R. E. Yantis.....	3 08	John T. Briscoe.....	5 00
C. D. Mills.....	4 10	J. A. Brooks.....	5 00
Sergeant-at-Arms' office.....	2 61	W. S. Brookshire.....	2 00
H. S. Churchill.....	3 53	Horace D. Brown.....	5 00
S. L. Pinckney.....	8 81	J. M. Brownlee.....	5 00
Miss A. M. Grey.....	6 71	J. P. Buchanan.....	4 00
W. H. Graham.....	5 21	Roger Byrne .....	5 00
Kit Robison .....	8 34	R. L. Cable.....	3 00
W. J. L. Sullivan.....	1 11	J. T. Canales.....	5 00
O. P. Basford.....	1 31	B. F. Cathey.....	5 00
Miss Nora Robinson.....	75	W. W. Caves.....	4 00
Mrs. Susie Linscomb.....	3 13	John C. Chaney.....	5 00
Chas. P. Burkes.....	3 06	Jeff D. Cox.....	5 00
W. G. Wilkins.....	69	G. O. Craven.....	4 54
Howard Prowse.....	4 41	W. L. Crawford, Jr.....	5 00
Miss Lee Armstrong.....	3 16	A. S. Crisp.....	5 00
Miss Mary Johnson.....	5 98	W. B. Crockett.....	5 00
J. A. Feagin.....	2 26	W. D. Crockett.....	5 00
J. I. Perkins.....	3 89	C. M. Cureton.....	2 00
Tilden Childs .....	2 76	John T. Currey.....	3 08
Walter Pridemore .....	3 39	N. L. Dalby.....	5 00
W. R. Long.....	1 41	W. C. Davis.....	5 00
J. L. Robinson.....	3 79	Homer A. Dotson.....	4 83
Chas. Graham.....	12 55	W. H. Driggers.....	5 00
Bob Barker .....	4 19	J. R. Elliott.....	5 00
L. Stanberry .....	11 17	G. W. Fant.....	5 00
Insurance Committee, B. F. Vaughan, Chairman .....	3 40	W. B. Fitzhugh.....	5 00
House of Representatives, General Account .....	10 05	J. W. Flournoy.....	5 00
		F. O. Fuller.....	5 00
		S. H. German.....	5 00
		C. E. Gilmore.....	3 50
		J. L. Goodman.....	5 00
		Horace Graham .....	5 00
		G. E. Hamilton.....	4 00
		J. T. Hamilton.....	5 00
		W. M. Harman.....	5 00
		August Haxthausen .....	5 00
		C. C. Highsmith.....	5 00
		F. F. Hill.....	3 20
		R. B. Humphrey.....	5 00
		J. C. Hunt.....	1 75
		M. G. Jackson.....	5 00
		S. J. Jennings.....	5 00
		Marsene Johnson.....	5 00
		P. M. Johnston.....	5 00
		Walter Keeble.....	5 00
Total .....	\$602 52		
Total amount of stationery on hand and bought.....	\$680 92		
Amount delivered to members and employes .....	602 52		
Balance on hand.....	\$ 78 40		

You will find herewith statement of amount expended for stamps and an itemized account of each member for the Third Called Session of the Thirty-first Legislature:

A. M. Kennedy.....	5 00	R. R. Smith.....	5 00
W. W. Lawson.....	5 00	C. M. Spradley.....	3 50
Pat L. Leach.....	5 00	W. O. Stamps.....	5 00
Brown F. Lee.....	4 00	Ike M. Standifer.....	2 00
E. C. Lively.....	5 00	W. J. Stead.....	1 00
B. F. Looney.....	1 00	J. D. Stephenson.....	5 00
J. R. Luce.....	5 00	W. S. Stepter.....	3 50
B. P. Maddox.....	5 00	Sam E. Stratton.....	3 00
J. C. Mason.....	5 00	J. J. Strickland.....	4 68
John Matthews.....	5 00	W. A. Tarver.....	5 00
John Maxwell.....	5 00	Chester H. Terrell.....	5 00
Claude M. McCallum.....	5 00	George B. Terrell.....	5 00
E. A. McDaniel.....	1 00	Leonard Tillotson.....	1 95
J. G. McDonald.....	3 00	J. P. Turner.....	5 00
W. C. McGown.....	2 27	A. M. Turney.....	5 00
A. T. McKinney.....	5 00	B. F. Vaughan.....	5 00
C. B. McLain.....	5 00	C. J. Von Rosenberg.....	5 00
J. W. Minton.....	5 00	Otto Wahrmond.....	2 00
Jens Moller.....	5 00	C. K. Walter.....	4 00
J. H. Morris.....	5 00	D. Watson.....	5 00
M. S. Munson.....	2 27	F. Werner.....	3 00
Walter A. Nelson.....	5 00	S. Wilburn.....	5 00
I. A. J. Nelson.....	5 00	L. P. Wilson.....	5 00
Luther Nickels.....	2 00	Louis J. Wortham.....	5 00
W. C. O'Bryan.....	5 00	R. E. Yantis.....	5 00
Sam O'Bryant.....	5 00	Bob Barker.....	5 00
Jesse Odom.....	5 00	Sebe Newman.....	5 00
C. C. Pearson.....	5 00		
Justo S. Penn.....	5 00	Total.....	\$606 84
W. R. Perkins.....	4 50	Stamps received from Journal	
Henry E. Pharr.....	5 00	Clerk.....	\$ 33 93
A. J. Porter.....	5 00	Stamps, three warrants.....	631 07
W. E. Rabb.....	5 00		
J. C. Ralston.....	5 00	Total amount stamps on hand	
W. S. Ray.....	5 00	and bought.....	\$665 00
Sam T. Rayburn.....	5 00	Delivered to members and offi-	
D. M. Reedy.....	5 00	cers.....	606 84
J. G. Reid.....	5 00		
Charles Roach.....	5 00	Balance on hand.....	\$ 58 16
T. J. Roberson.....	5 00	Respectfully submitted,	
Huling P. Robertson.....	5 00	SEBE NEWMAN,	
James H. Robertson.....	4 27	Sergeant-at-Arms, House of Representa-	
T. S. Ross.....	2 00	tives, Thirty-first Legislature.	
A. G. Schluter.....	5 00		
William M. Schofield.....	5 00		
T. J. Self.....	5 00		



## FINAL REPORT OF COMMITTEE ON CONTINGENT EXPENSES.

Austin, Texas, August, 1910.

Hon. John Marshall, Speaker of the House of Representatives.

Sir: We, your Committee on Contingent Expenses, beg leave to report that accounts have been allowed, approved and warrants issued for the following amounts during the Third Called Session of the Thirty-first Legislature:

Date	No. War.	To Whom Issued	For What Purpose	Amount
1910.				
July 25	1	Sebe Newman.....	Stamps.....	\$ 260 00
July 27	2	Sebe Newman.....	P. O. Box rent.....	128 40
July 29	3	Sebe Newman.....	Stamps.....	200 00
Aug. 2	4	Austin Electric Co.....	Fans.....	360 40
Aug. 18	5	J. E. Feagin et al.....	Stenographers—Insurance Committee	134 00
Aug. 11	6	E. Emmertt.....	Entertaining Governor Sanders.....	25 00
Aug. 13	7	Carl Assmann.....	Locks and keys.....	34 25
Aug. 13	8	Sebe Newman.....	Stamps.....	171 07
Aug. 15	9	A. J. Porter.....	Stokes' funeral.....	20 60
Aug. 15	10	Geo. B. Terrell.....	Stokes' funeral.....	18 70
Aug. 15	11	F. O. Fuller.....	Stokes' funeral.....	18 75
Aug. 17	12	J. R. Luce.....	Stokes' funeral.....	20 10
Aug. 17	13	Chester H. Terrell.....	Stokes' funeral.....	21 70
Aug. 17	14	J. J. Strickland.....	Stokes' funeral.....	20 45
Aug. 17	15	Tobin's Book Store.....	Stationery.....	680 96
Aug. 17	16	Austin Printing Co.....	Printing House Bills.....	347 87
Aug. 17	17	Miss Alice Grey.....	Typewriter rent.....	5 00
Aug. 17	18	W. E. West.....	Houston Post.....	45 00
Aug. 17	19	John Marshall.....	Stenographic work.....	10 00
Aug. 17	20	S. L. Pinckney.....	Typewriter rent.....	5 00
Aug. 17	21	Ft. Worth Publishing Co.....	Newspapers.....	19 50
Aug. 17	22	Austin Statesman.....	Newspapers.....	44 75
Aug. 17	23	W. S. Hart.....	Typewriter rent.....	23 50
Aug. 17	24	Ed Graham.....	Street car fare.....	2 55
Aug. 17	25	Walter Pridemore.....	Typewriter rent.....	5 00
Aug. 17	26	Mrs. Susie Linscomb.....	Typewriter rent.....	2 50
Aug. 17	27	Miss Lee Armstrong.....	Typewriter rent.....	92
Aug. 17	28	W. H. Graham.....	Typewriter rent.....	5 00
Aug. 17	29	E. B. Carruth.....	Typewriter rent.....	5 00
Aug. 17	30	Bosche Laundry.....	Laundry towels.....	7 90
Aug. 17	31	H. C. Holcomb.....	Newspapers.....	127 50
Aug. 17	32	Von Boeckmann-Jones Co.....	Printing Journal.....	467 94
Aug. 17	33	Miss Lelia Craig.....	Typewriter rent.....	5 00
Aug. 23	34	Houston Chronicle.....	Newspapers.....	7 00
Aug. 25	35	Sam Stratton.....	Newspapers.....	75
Aug. 27	36	Lone Star Ice Co.....	Ice.....	40 90
Total.....				\$3,292 96

Respectfully submitted,  
 McCALLUM, Chairman;  
 ASTON,  
 BOWLES,  
 SELF,  
 TARVER.